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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/788,402	02/21/2001	Rayner Brondrup	3842-7	5430

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EXAMINER

OUELLETTE, JONATHAN P

ART UNIT	PAPER NUMBER
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3629

DATE MAILED: 01/16/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/788,402

Applicant(s)

BRONDRUP, RAYNER

Examiner

Jonathan Ouellette

Art Unit

3629

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 21 February 2001.
- 2a) ☐ This action is **FINAL**.      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 February 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)      4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)      5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_      6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
2. Claims 1-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over DeLorme et al. (US 5,948,040) in view of Pinzon (US 6,161,005).
3. As per independent Claims 1 and 5, DeLorme discloses a system (method) providing wireless hotel search and selection, and for the selected hotel, room reservation/booking, check-in, room access control, check-out and payment services for hotel customers by combining wireless application for hotel search and reservation/booking services, a wireless application for check-out and payment services, characterized in that the system comprises a plurality of appropriately adapted mobile terminals, each such mobile terminal including a long or medium range mobile telephone and processing unit operating with wireless application programs, network communications means, hotel search and reservation/booking server means, and a plurality of hotel reservation/IT systems, wherein said mobile terminals, server means and reservation/IT systems communicate by said communication network means (Abstract, Fig 4, Fig. 9B, C8 L33-65, C16 L32-59, C79 L63-67, C80 L1-38).

4. DeLorme fails to disclose wireless hardware and applications for hotel door locks.
5. Pinzon teaches a wireless hardware and applications for hotel door locks (Abstract, Figs.1-4, C2 L38-65).
6. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included a wireless hardware and applications for hotel door locks, as disclosed by Pinzon in the system disclosed by DeLorme, for the advantage of providing a system (method) for providing wireless hotel search and selection, with the ability to increase customer service and satisfaction by offering express/direct room access after a reservation has been confirmed and paid, through the use of mobile technology.
7. As per Claim 2, DeLorme and Pinzon disclose at least one electronic payment server communicating by said communication network means with one or more of said terminals, server means and/or reservation/IT systems (DeLorme: Abstract, Fig 4, Fig. 9B, C8 L33-65, C16 L32-59, C79 L63-67, C80 L1-38).
8. As per Claim 3, DeLorme and Pinzon disclose additional corresponding wireless devices in communication with the hotel reservation/IT system for providing communication with nearby ones of said appropriately adapted mobile wireless terminal (DeLorme: Abstract, Fig 4, Fig. 9B, C8 L33-65, C16 L32-59, C79 L63-67, C80 L1-38).
9. As per Claim 4, DeLorme and Pinzon disclose one or more wireless application programs of the mobile terminal are implemented by application means selected from a group including WAP (WIVIL/WML Script), typical Web applications (HTML/Java Script)

and Java Application/Applet (DeLorme: Abstract, Fig 4, Fig. 9B, C8 L33-65, C16 L32-59, C79 L63-67, C80 L1-38).

10. As per Claim 6, DeLorme and Pinzon disclose steps of encryption, whereby the key token to become a secret encrypted key (DeLorme: Abstract, Fig 4, Fig. 9B, C8 L33-65, C16 L32-59, C79 L63-67, C80 L1-38) (Pinzon: Abstract, Figs.1-4, C2 L38-65).
11. As per Claim 7, DeLorme and Pinzon disclose, for user check-out from the hotel and bill settlement, the additional steps of a user, by means of wireless applications of the mobile terminal, connecting to a hotel search and reservation/booking server, and, while connected to the hotel search and reservation/booking server, communication to the hotel reservation/IT system a check-out request, receiving there from bill information, sending thereto a bill acceptance, receiving from a payment server a payment authorization request, sending thereto a payment authorization response, and by the hotel reservation/IT system, upon receiving a payment verification, sending a key token deactivation message to the wireless door lock of the respective reserved room (DeLorme: Abstract, Fig 4, Fig. 9B, C8 L33-65, C16 L32-59, C79 L63-67, C80 L1-38) (Pinzon: Abstract, Figs.1-4, C2 L38-65).
12. As per Claim 8, DeLorme and Pinzon disclose, for user check-out from the hotel and bill settlement by means of triggering of automatic check-out or generation of a payment request from the hotel reservation/IT system to the payment server after exit registration of expiration of the reservation period, the additional steps of registering the exit from the hotel of a user by means of the wireless device of the mobile terminal and an additional wireless device located at the hotel exit, wherein, if user payment is registered

on or prior to the registration of exit, the check-out is registered, or, if the reservation period expires and user payment is not registered on or prior to the expiration of the reservation period, the hotel reservation/IT system automatically generates a payment request to a payment server is, whereupon the user receives from a payment server a payment authorization request, sends thereto a payment authorization response, and wherein the hotel reservation/IT system, upon receiving a payment verification from the payment server, sends a key token deactivation message to the wireless door lock of the respective reserved room (DeLorme: Abstract, Fig 4, Fig. 9B, C8 L33-65, C16 L32-59, C79 L63-67, C80 L1-38) (Pinzon: Abstract, Figs.1-4, C2 L38-65).

13. Claims 9 and 10 are rejected under 35 U.S.C. 103 as being unpatentable over DeLorme in view of Pinzon.
14. As per Claims 9 and 10, neither DeLorme nor Pinzon expressly show wherein any short-range wireless devices (associated with mobile terminals and wirelessly operable door locks) are compliant with the Bluetooth industry standard.
15. However these differences are only found in the nonfunctional descriptive material and are not functionally involved in the steps recited. The short-range wireless device controlling door access would perform regardless of the type of industry standard used. Thus, this descriptive material will not distinguish the claimed invention from the prior art in terms of patentability, *see In re Gulack*, 703 F.2d 1381, 1385, 217 USPQ 401, 404 (Fed. Cir. 1983); *In re Lowry*, 32 F.3d 1579, 32 USPQ2d 1031 (Fed. Cir. 1994).
16. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have used a wireless device which was compliant with the

Bluetooth industry standard, because such a standard does not functionally relate to the steps in the method claimed and because the subjective interpretation of the standard does not patentably distinguish the claimed invention.

***Conclusion***

17. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
18. The following foreign patent is cited to show the best foreign prior art found by the examiner:

**European Pat. No. EP 715445 A2 to Garcia et al.**

Garcia discloses a system which involves a series of automatic hotel terminals and computer means which, via public communication networks such as a telephone network, are connected to a series of interactive public terminals structured on the basis of an internal processor unit which, by means of a communication module, is associated to the various automatic hotel terminals from which it receives information, being assisted by a TV monitor, an automatic cashier, a keypad and a printer in such a manner as to enable the user to request for information, through the keypad, in regard to room availability and prices from the hotels integrated in the system, said information being received in the monitor and, if applicable, implementing the reservation in one of said hotels after an amount of money is introduced in the automatic cashier, the printer thereafter issuing a voucher.

19. The following non-patent literature is cited to show the best non-patent literature prior art found by the examiner:

“Smart phones: new alliance further Geoworks’ plan to deliver valuable content, interactive service to smart phone customers.” Edge, on & about AT&T, v12, p26 (1), February 10, 1997.

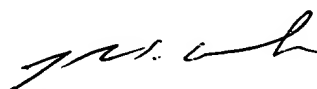
Edge discloses technology, which allows “smart phones” to access Internet-based travel services and make hotel reservations.

20. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jonathan Ouellette whose telephone number is (703) 605-0662. The examiner can normally be reached on Monday through Thursday, 8am - 5:00pm.

21. If attempts to reach the examiner by telephone are unsuccessful, the examiner’s supervisor, John Weiss can be reached on (703) 308-2702. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 305-7687 for regular communications and (703) 305-3597 for After Final communications.

22. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-5484.

jo  
January 9, 2003

  
**JOHN G. WEISS**  
**SUPERVISORY PATENT EXAMINER**  
**TECHNOLOGY CENTER 3600**